

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMEREN MISSOURI,

Defendant.

Civil Action No. 4:11-cv-00077-RWS

**PLAINTIFF’S RESPONSE IN OPPOSITION TO DEFENDANT AMEREN MISSOURI’S
REQUEST FOR ORAL ARGUMENT**

Plaintiff, United States of America, hereby opposes Defendant Ameren Missouri’s (“Ameren’s”) request for oral argument on its Motion for Attorneys’ Fees and Costs (ECF No. 171) concerning Plaintiff’s voluntary dismissal of the 2001 and 2003 Claims in the Amended Complaint. While Plaintiff will certainly present argument to the extent the Court finds it would be helpful, as explained more fully in the United States’ Memorandum in Opposition to Ameren’s Motion for Attorneys Fees and Costs (ECF No. 177) the record is clear that the 2001 and 2003 Claims were not unreasonable within the meaning of Clean Air Act Section 113(b), 42 U.S.C. § 7413(b). Moreover, oral argument on the voluntarily dismissed 2001 and 2003 Claims, as with Ameren’s motion for attorneys’ fees and costs, would further undermine the judicial economy gained by voluntary dismissal of those claims.

For the foregoing reasons, Plaintiff respectfully requests that Ameren’s request for oral argument on the voluntarily dismissed claims be denied.

Dated: November 18, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on November 18, 2013, I served the foregoing via the Court's ECF system on counsel of record, who are listed below:

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